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प्राधिकार से प्रकाशित

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NEW DELHI, WEDNESDAY, MARCH 1, 2006/PHALGUNA 10, 1927

SUPREME COURT OF INDIA

NOTIFICATION

New Delhi, the 22nd February, 2006

G.S.R. 127(E).—In exercise of the powers conferred by Article 145 of the Constitution and all other powers enabling it in this behalf, the Supreme Court hereby makes, with the approval of the President, the following Rules, further to amend the Supreme Court Rules, 1966, namely :—

- I. (a) These Rules may be called the Supreme Court (Amendment) Rules, 2006.
(b) They shall come into force on the date of their publication in the Official Gazette.
- II. The following amendments be carried out in Order VI. Rules 1 and 2 of the Supreme Court Rules, 1966 :
 1. In Rule 1 of Order VI, the following clauses shall be inserted after clause 27 :
 - (28) Application for condonation of delay in re-filing, provided the delay does not exceed 90 days from the date of notifying the defects.
 - (29) Application for condonation of delay in filing process fee.
 - (30) Issue of fresh summons and notices.
 - (31) Application for extension of time for filing pleadings, provided that the Registrar shall not grant more than two extensions for the same purpose.
 - (32) Application for cancellation of date on the written joint request of the appearing parties, provided the matter has not appeared in the final cause-list, on the date of filing of application.
 - (33) Application for amendment of pleadings with the consent of all the appearing parties, or where the other side has not appeared.
 - (34) Office Report for renewal of Fixed Deposit Receipts and Bank Guarantees.
 - (35) Application for exemption from filing official translation.
 - (36) Application for exemption from filing process fee and/or spare copies.
 - (37) All uncontested Interlocutory Applications of formal nature.
 - (38) Any matter which in accordance with orders or directions issued by the Court, is required to be dealt with by the Registrar.
 - (39) Imposing costs on the party in default of compliance of the orders passed by the Registrar.

2. In Rule 2 of Order VI, the following clauses shall be inserted after clause 30.

- (31) Summons for non-prosecution under Order XV, Rule 30 of Supreme Court Rules.
- (32) Office Report on default.
- (33) Application for exemption from paying court fee.
- (34) Application for condonation of delay in seeking substitution and application for substitution where it would involve setting aside an abatement.
- (35) Application for condonation of delay in re-filing where the delay exceeds 90 days from the date of notifying the defects.
- (36) Application for refund of security.
- (37) Application for withdrawal of any appeal/petition with the consent of all the appearing parties or where the other side has not appeared.
- (38) Application for exemption from surrendering.

3. In Rule 2 of Order VI, clause 14 shall be substituted by the following clause :

- (14) Applications for enlargement or abridgement of time except applications for condonation of delay in filing Special Leave Petitions.

4. Sub-Rule (1) of Rule 13 of Order XVI shall be substituted by the following sub-rule :

- 13(1) Respondent to whom a notice in a Special Leave Petition is issued or who had filed a caveat shall be entitled to oppose the grant of leave or interim orders, without filing any written objections. He shall also be at liberty to file his objections within 30 days from the date of receipt of notice or not later than 2 weeks before the date appointed for hearing, whichever be earlier, but shall do so only by setting out the grounds in opposition to the questions of law or grounds set out in the SLP and may produce such pleadings and documents filed before the Court/Tribunal against whose order the SLP is filed and shall also set out the grounds for not granting interim order or for vacating interim order if already granted.

5. In Order XXI the following Rule shall be inserted after Rule 7 :

- 7A. The Respondent shall be at liberty to file his objections within 30 days from the date of receipt of notice or not later than 2 weeks before the date appointed for hearing, whichever be earlier.

6. In Order XXXV the following Rule shall be inserted after Rule 8 :

- 8A. If the Court, on preliminary hearing, orders issue of show cause notice to the Respondent, he shall be entitled to file his objections within 30 days from the date of receipt of such notice or not later than 2 weeks before the date appointed for hearing, whichever be earlier.

[F. No. 1/2006 AR (Record Room)]

By Order of the Court,
HEMANT SAMPAT, Registrar (Admn.)